

Message Text

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DRAFTED BY EB/CSB/BP:WALTER B. LOCKWOOD:BT

APPROVED BY EB/CSB/BP:HARVEY J. WINTER

PATENT OFFICE:MKIRK

L/EB:SBOND

JUSTICE:DROSENTHAL

EUR/RPE:MLEVINE

OES/SCI:RMORRIS

EB/GCP:MGOLDMAN

IO/OIC:CBASS

IO/CMD:DHINES

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TAGS: TGEN, OECD, UNCTAD

SUBJECT: OECD/CST: AD HOC POLICY GROUP ON MULTINATIONAL
ENTERPRISES - PREPARATION OF NOVEMBER 1975 SESSION OF
UNCTAD COMMITTEE ON TRANSFER OF TECHNOLOGY, PARIS, JULY 17,
1975

REFERENCE: OECD PARIS 15927

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BRUSSELS FOR DAVIDOW, C/O DIRECTOR GENERAL OF COMPETITION,
EEC

1. DEPARTMENT CONCURS WITH PROPOSALS IN REFTTEL FOR JULY 17

MEETING UNDER OECD/CST AD HOC POLICY GROUP ON MNES IN ORDER TO FORMULATE GROUP B POSITION ON CODE OF CONDUCT ON TRANSFER OF TECHNOLOGY PRIOR TO UNCTAD MEETINGS IN NOVEMBER, 1975. DEPARTMENT INTENDS SEND ONE REPRESENTATIVE, EITHER WALTER LOCKWOOD, OFFICE OF BUSINESS PRACTICES (EB/CSB/BP) OR STEPHEN BOND OF LEGAL ADVISER'S OFFICE (L/EB). BOTH WERE AT UNCTAD MEETINGS IN MAY. IN ADDITION MR. JOEL DAVIDOW, CHIEF OF FOREIGN COMMERCE SECTION, ANTITRUST DIVISION, DEPARTMENT OF JUSTICE, WHO IS IN BRUSSELS, PLANS TO ATTEND. ACCREDITATION FOLLOWS SEPTTEL.

2. ON JUNE 20 MESSRS. DAVIDOW, LOCKWOOD AND WAIT HAD

USEFUL DISCUSSION WITH DELORME, CHAIRMAN OF THE JULY 17 MEETING, REGARDING THE AGENDA. DELORME AGREED THAT AGENDA SHOULD BE ORGANIZED ALONG FOLLOWING LINES:

A. GENERAL DISCUSSION OF PARAMETERS OF GROUP B COORDINATION AND FORMULATION OF POSITIONS ON VARIOUS TOPICS, INCLUDING WORK ON A FULLER CODE OF CONDUCT PAPER, BUILDING ON GROUP B STATEMENT OF OBJECTIVES, PRINCIPLES AND GUIDELINES WHICH WAS SUBMITTED TO UNCTAD IN MAY.

B. IDENTIFICATION OF ISSUES WHICH SHOULD BE INCLUDED IN GROUP B CODE OF CONDUCT (GUIDELINES) PAPER, OR UPON WHICH GROUP B MAY WISH TO DEVELOP CRITIQUE OR POSITION PAPERS. THIS WOULD INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

-- (1) INTERNATIONAL LAW ASPECTS OF CODE OF CONDUCT OR GUIDELINES ON TRANSFER OF TECHNOLOGY, LEGAL NATURE OF PROPOSED CODE, AND ARBITRATION.

-- (2) SCOPE OF APPLICABILITY - UNIVERSAL NATURE OF PROPOSED AGREEMENT.

-- (3) RESTRICTIVE BUSINESS PRACTICES, INCLUDING PROVISIONS AIMED AT CARTELS.
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-- (4) SPECIAL TREATMENT FOR DEVELOPING COUNTRIES AND "GUARANTEES".

-- (5) SCOPE OF NATIONAL REGULATION.

C. ASSIGNMENT OF DRAFTING RESPONSIBILITIES, HAVING IDENTIFIED THE ISSUES, DECISIONS WOULD BE REACHED ON WHO WOULD HAVE RESPONSIBILITY (E.G., ONE GOVERNMENT OR A SMALL GROUP OF 2-3) FOR PREPARING INITIAL DRAFTS ON THE VARIOUS ISSUES PRIOR TO THE SECOND GROUP B MEETING IN OCTOBER.

3. DEPARTMENT IS SENDING TO MISSION BACKGROUND PAPERS ON THIS SUBJECT. REQUEST MISSION REPORT BY CABLE WHEN AGENDA

IS DETERMINED BY DELORME AND THE SECRETARIAT.

4. AS CAN BE READILY SEEN, AGENDA IS FULL AND IMPORTANT.
WE SERIOUSLY DOUBT THAT ONE DAY IS SUFFICIENT. IT WOULD
BE UNFORTUNATE TO SEND DELEGATES AND NOT BE ABLE TO ACCOM-
PLISH DESIRED OBJECTIVES. THEREFORE, MISSION SHOULD
APPROACH SECRETARIAT AND DELORME AND SUGGEST THAT TWO DAYS
BE RESERVED FOR MEETINGS, ADDING ONE DAY BEFORE OR AFTER
JULY 17. INGERSOLL

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<< END OF DOCUMENT >>

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